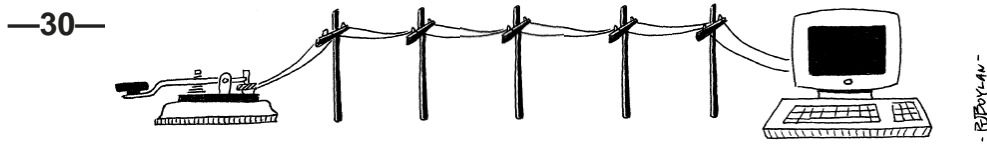


The Philatelic Communicator
Journal of the American Philatelic Society Writers Unit #30



www.wu30.org

First Quarter 2015 Issue 187

Copyright in Philately: Basics – Problems – Options
Wolfgang Maassen
Translation: Rainer von Scharpen

Editor's Note: This lecture was presented at the ROSSICA 2013 in Moscow. The author is president and editor for *The Philatelic Journalist*, the journal of Association Internationale des Journalistes Philatéliques (AIJP). This was originally published in *The Philatelic Journalist* no. 143 March 2014. We use this, of course, with permission.

There is hardly a subject that occupies authors, publishers and journalists as much as the subject of copyright and the claims it implies. The age of the internet, most of all, has brought forth new structures and possibilities. This creates dangers resulting from mistakes and misuse that have been unknown so far. Even people of good will are often confronted with the question, Am I doing the right thing? Am I doing something wrong?

You will understand that in the allotted short time of one hour I cannot describe and deal in depth with all the problems implied. I am even less able to offer solutions to all the problems. I would need a whole semester to do so. Furthermore, I am not a professional jurist. It is true that I am the chief editor of four specialised journals, so naturally I often have to deal with such questions. But I must present the matter in a way that you understand me, without the specialised terminology jurists often use, and I hope I will succeed in doing so. Please consider my remarks only as the information and advice of a journalist who has some experience in the field.

Last but not least: I am German. Germany has a copyright that is revised from time to time, to a large extent in accordance with European norms. Nevertheless there are differences in jurisdiction from one country to the next. To the USA as well. World politics have shown us in recent months which differences are possible there. The differences are even more significant when we turn to other countries on other continents. I am not telling you a secret by affirming that there are countries where the copyright and intellectual property rights might be known in everyday life, but where they are not effective in law.

For that reason I consider it my task today to present to you a few exemplary cases that occurred during the past weeks and months, to generalise them afterwards, and to

derive some advice and answers to questions that are in the air. Of course you can be sure that all the cases refer to philately and are well documented in my files.

I am not sure that everybody in the auditorium is well acquainted with terms like *copyright* and *intellectual property rights*. So allow me to begin with a few basic remarks on the subject.

Basics and Definitions

Problems of definition already start with rather common terms, e.g. the English/American term *copyright*. This term designates someone who has the right to exploit a protected work, ("the right to copy"). This person can, but need not be, the author of the work. Often it is only the owner of the right of exploitation, i.e. a publishing house to whom the author has ceded these rights.

In Germany we use the term of “rights of the author”, it is often translated into English as “moral rights”. This right of the author always and exclusively relates to the author of the work himself, not to those who exploit it, although both can but need not be one and the same person.

Historically, the symbol © in the Anglo-Saxon world originally indicates that a work was entered in the copyright register, and until 1989 it was required in the USA to do so in order to obtain this protection. The so-called Berne Convention of the Western industrialised nations has since made this procedure obsolete, because since 1989 all creative works are protected without the need of being registered. Nevertheless the copyright symbol can still be encountered, simply because someone wants to make it clear to everybody that he is the legal owner of the work.

Nevertheless the difference in the linguistic use has to be taken into account, and occasionally this has had legal repercussions. Furthermore, a written copyright passage does not automatically imply moral rights, i.e. rights of authorship. Rights of authorship are conferred only if a literary or artistic work is the personal intellectual creation of an author – and not of a machine. To give an example, a translation automatically generated by software can for



The Philatelic Communicator

ISSN 0147-36456

Volume 49, No.1, Whole No. 187

www.wu30.org

David E. Crotty, Editor

P.O. Box 16115
Ludlow, KY 41016-0115
decrotty@yahoo.com
859-360-0676

Thomas P. Johnston, Associate Editor

124 Bishopstone Circle
Frederick, MD 21702-5123

Writers Unit #30 publishes *The Philatelic Communicator* four times a year. A subscription to TPC is included with dues paid by members of the Unit. TPC is printed and distributed by Wilcox Printing & Publishing, Inc., Madrid, Iowa.
©2014 Writers Unit #30. Title page drawings by Peter Boylan.

Manuscripts are solicited on subjects of interest to writers, editors, and publishers of all forms of philatelic literature. All submissions for publication, without exception, are subject to being edited. Electronic submissions are preferred. Opinions expressed in *The Philatelic Communicator* are those of the authors, and not necessarily of the Writers Unit #30, its officers, editor, publisher, or agents. Letters and e-mails received by the editor may be printed unless labeled "Not for Publication." Every effort is taken to ensure accuracy, but validity is not guaranteed. Some product names and images may be trademarks or registered trademarks, and are used only for identification and explanation, without intent to infringe. All editorial matters must be handled by the editor.

Deadlines for receipt of copy by the editor:

First Quarter: February 1 Second Quarter: June 1
Third Quarter: September 1 Fourth Quarter: December 1

APS Writers Unit #30

Ernest E. Fricks, President

25 Murray Way, Blackwood, NJ 09012
genefricks@comcast.net

Ken Trettin Secretary-Treasurer

PO Box 56, Rockford, IA 50468-0056
revenue@myomnitel.com 641-756-3542

Lloyd de Vries, 1st Vice President

P.O.Box 1249, Washington Township NJ 07676-1249
stamps@pobox.com

David E. Crotty, 2nd Vice President

P.O. Box 16115 Ludlow, KY 41016-0115
decrotty@yahoo.com 859-462-6995

The **Executive Committee** includes the officers, Editor, and Immediate Past President

Peter D. Martinpdmartin2525@yahoo.com

The **WU#30 Council** includes

Ernest E. Fricks,genefricks@comcast.net (2017)

David A. Kent,kentdave@aol.com (2017)

Leonard Robert McMaster,uspps.possessions@gmail.com (2017)

Dane S. Claussen,danes.claussen@gmail.com (2015)

Daniel C. Warren, M.D.,dwarrenmd@cox.net (2015)

Writers Unit #30 Committee Chairs are:

APS Rep. Katrina Everhart

Awards: Robert P. Odenweller

Bylaws: Katrina Everhart

Critique Service: Dane S. Claussen

Hall of Fame: Dane Claussen

Historian: Steven J. Rod

Nominating: Alan Warren

Publications: Peter Martin

Publicity: Ernest E. (Gene) Fricks

Recruiting: Lloyd de Vries

Special Events: Kenneth Trettin

USPS Representative: Peter Martin

Webmaster: Todd Ronnei

tronnei@gmail.com

WU #30 Breakfast: Lloyd de Vries



David Crotty From the Editor

It's not a good idea to devote an entire journal issue to just two articles. However, there are times when rules like that can be broken. In this case we have two very important topics that should not be taken lightly.

The first is the issue of copyright. The last time we saw a full article on this subject was in 2006 from our then editor Al Starkweather. Here we present a discussion by Wolfgang Maassen, the editor and president of AIJP, that provides a few important examples from a European point of view. This is a topic that we as writers, editors and publishers can never forget about. I recommend that each reader go back to Starkweather's discussion after reading this one. They both provide important insights. BTW I did check that Google Maps allows use of its maps if we credit Google Maps and the supplier that is printed on the map!!

The second involves a fundamental issue for our hobby. "Who will replace us?" We have numerous examples just now of societies who are having trouble replacing an editor or finding someone to take on the job of president or treasurer. I'm one of the younger guys in some of the organizations I belong to and I will be 70 by the time you read this (how did that happen?). I think about this topic a lot. It happens that most collectors come to philately in middle age, often after setting the stamps aside for a few decades. We need to attract folks as they reach that "collecting age."

At the same time there appears to be a huge population of collectors who do not join societies. The two websites that I attend to get 1000 to 2000 unique visitors each month. If we could attract just a few of these people each month we would be in really good shape. Unfortunately those visitors seldom join the group that built the site.

Elections

This being an odd numbered year we should be electing new officers. Every philatelic society needs active participation from members who have great ideas and the will to serve the society. WU30 is no exception.

Dave



Gene Fricks *President's Message*

We pay too little attention to protecting the organizations for whom we edit publications from unexpected crises. Most of our organizations are just so grateful to have someone to edit and publish that they forget the question of succession. Some of us have the luxury of an editorial board but that seems to be an exception rather than a widespread practice. What brings such dark questions to mind was the unexpected passing last month of Scott Troutman, whose best known involvement had been as editor of the *State Revenue News*. During the past decade, Scott had built his publication from a photocopied newsletter to a professional quality product that has excited the group's membership and led to a doubling in their numbers. Fortunately for the State Revenue group, a backstop exists to prevent this crisis from developing into a catastrophe.

On the other hand, a small but very well-done thematic publication for the Wine on Stamps group has lost its editor, who has had to step down due to work commitments and also likely due to burn out. Like so many of our small publications, this editor ended up writing most of the editorial matter and doing pre-publication preparation. We should not forget this aspect as many philatelic publications rely upon a single individual to learn the increasingly sophisticat-

ed publishing software that undergirds our efforts. Sometimes the learning curve for these computer programs can be as much as a year or more. When, as in the case of the present example, the editor must bow out, the publication and organization folds. The officers of the group, and the editor, should insist upon some kind of succession plan.

In a previous issue of the *Communicator*, I had noted some of the hard-to-figure-out titles that grace articles in the philatelic press. Like dandelions in my front lawn, I continue to see these sprout. Some are quite interesting but will drive the indexer and the literature searcher crazy. Some of the articles are really worthwhile but likely will fade into the background as time advances.

One of my 'additional' duties is assembling the PHLNDX database of philatelic articles. I was able to issue in February update 98 with another 5,000 entries to a database that has grown to about 360,000 listings. A copy of the update has been provided to the APRL and to the library of the Collectors Club in New York. The file has grown so extensively that I am now sending it by Dropbox. PHLNDX runs on a Filemaker platform that provides for searchability by an input set of criteria. Update 98 includes a large number of 2014 entries but also titles going back as far as 1865. Several Writers Unit members contribute information to the effort, for which I am grateful.

I hope that many of you can attend Stampshow this summer. My schedule is not going to permit attendance so I will miss seeing you.

Gene

Call For Officer and Director Nominations 2015 Alan Warren

According to the Writers Unit 30 bylaws, elections shall be held in odd-numbered years by mail ballot of the members in good standing. The officers are President, Secretary-Treasurer, First Vice President, and Second Vice President. Their term of office is two years. In addition there are elections for some of the Council members. Three Council members are needed for the 4-year term beginning 2015 and ending 2019.

Members wishing to run for office may provide their name and a summary of their qualifications to Nominating Committee Chair, Alan Warren (PO Box 39, Exton PA 19341-0039, or email alanwar@com-

cast.net). Officers can also be nominated by petition, with the consent of the nominee. No fewer than ten members in good standing must sign the petition and submit it to the Secretary-Treasurer by May 11 this year.

Details of the election process are spelled out in the bylaws of the Writers Unit, posted on the Unit's web site. Ballots for the election will be enclosed with the second quarter issue of *The Philatelic Communicator*. The newly elected officers will begin their term of office at the Writers Breakfast, August 23, during StampShow 2015 in Grand Rapids, Michigan.



that reason not be protected by the copyright.

If you have your own website and make use, in addition to your own contributions, of photos, graphics or texts by third persons, beware of adding the copyright symbol to your name without expressing any exclusions. First of all, you do not tell the truth (for all contributions of third persons, unless explicitly agreed upon, the rights remain with the author), secondly this offers third persons the chance of costly cease-and-desist warnings, even if the infringement of the rights of the author was committed without evil intent or actual fault.

To conclude, we follow the German legal interpretation of the term according to the Wikipedia entry "Urheberrecht" (copyright): "copyright" first means the subjective and absolute right of the protection of intellectual property in the ideal and material respect. As an objective right it implies the sum of all legal norms of a legal system regulating the relationship between an author and the legal successors to his work; it defines the contents, scope, transferability and consequences in case of infringement of the subjective right.

Some Practical Cases

Case No. 1: Unauthorised Use of a Location Drawing

What had happened? Years ago, a club in Dresden sent invitations to an event it had organised. It had flyers printed and therein it used a location drawing taken from the internet. Immediately, the club received a cease-and-desist warning which cost it about 600 Euro. Objectionable was the unauthorised use of a digital drawing as you can find it all ready e.g. at Google & Co. The club wants to know: What can in the future be reproduced free of charge? A second question: What about the reproduction of stamps, postmarks, postal documents? What if no author can be identified? Is it enough in such cases to make a reference to the source of information?

Case No. 2: Unauthorised Use of the "Who is who Biography", Here with Reference to Gerhart Hauptmann

The operator of a well-known internet site in Germany (philaseiten.de) was more than surprised when in March this year he got a letter from a firm of solicitors demanding him to remove an internet page dealing with biographical data on Gerhart Hauptmann on occasion of a new issue of a commemorative stamp. The argument: The biographical data he had used were taken from the biographical reference work WHO'S WHO of the rasscass Medien Content publishing house. Joined to the letter was a prepared declaration to cease and desist. And an invoice of 1.050 Euro (yes one thousand).

What had happened? The operator of the internet site had used a press release of Deutsche Post AG and put it on the internet (word-for-word the text of a press release announcing a new stamp issue which had been put on the internet by the editors of German stamps, the Federal Ministry of Finances). It referred to the stamp "150th anniversary of Gerhart Hauptmann" issued on November 2, 2012.

The Deutsche Post AG and the Federal Ministry of Fi-

nances publish and distribute these announcements to the press for diffusion in other media. The internet operator philaseiten.de was shocked. Was he to pay for the eventuality that an employee of the Deutsche Post AG or the Federal Ministry of Finances had made a mistake? He himself had just done his job and could not see in which way he might have been guilty.

So he appealed to the Federal Ministry of Finances and reported the case. Apparently this resulted in negotiations between the Federal Ministry of Finances and the firm of solicitors, because at the end of March 2013 the latter declared: "After the negotiations with the Federal Ministry of Finances have come to an end and in keeping with the associated changes of the factual and legal situation we herewith ... renounce all --- claims."

Saved by the bell, but the operator of the internet site escaped a declaration to cease and desist by the skin of his teeth although he had made no mistake!

Case No. 3: Declaration to Cease and Desist Because of Double Use of Own Texts/Pictures on the Internet

While the two cases described above may still seem comprehensible, the limits of common understanding are reached with case no. 3: A lawyer active for an internet site charged an association of having made public without authorisation material that was protected by copyright. This allegedly protected material (text and reproduction of stamps/covers) had before been made public by a member of his internet portal. This right, however, belongs exclusively to himself as the operator of the site because each member of the portal, by using the site, declares that the exclusive exploitation rights henceforth belong to the portal. That means that the operator of this internet forum secures for himself from the potential users of his portal, by their signing the agreement to the general business terms, all rights to any entry of texts or pictures. Accordingly he becomes the exclusive owner of the rights. Even the person who had entered the respective information at bundforum.de could not use his own information on another internet site! The internet forum offered a prospective remunerable licence, on the other hand it demanded a declaration to cease and desist and even more. The case has not yet been brought to a conclusion.

Case No. 4: Use of Catalogue Numbers as Reference Numbers

As is generally known, there are some important catalogue editors known all over the world who for more than 100 years have produced annual catalogues. Among them we count Scott for the USA, Yvert in France, of course Stanley Gibbons in England, well and Michel in Germany. All catalogue editors share the point of view that the respective numbering system they use is an intellectual property protected by the copyright.

Between 2000 and 2013, there were a number of lawsuits in Germany dealing with this matter. In one specific case concerning the use of MICHEL numbering as reference numbers in a printed catalogue for stamp booklets, the matter was even dealt with at the highest German court, the Federal Court of Justice called BGH. This court, in the final analysis, rejected the claim of the Schwane-

berger publishing house for a declaration to cease and desist. Since the grounds for the judgement of the Superior District Court of Munich is quite instructive and contains explanations which in my opinion might be applied to the use of catalogue numbering in general, let me quote a few passages from the judgement verbatim:

“2. In the current case, the claimant has no claim for a declaration to cease and desist on the grounds of a violation of property rights to a data base...”

The copyright of a data base presupposes that it represents a personal intellectual product as defined in § 2 Abs. 2 UrhG [German copyright legislation]...

a) In the current case, there is no individual, creative and selective decision on the part of the employees of the claimant since its data base for stamps as well as for stamp booklets aims at completeness...

b) The question whether the structure of the material in the numbering system results in a stamp numbering system copyright that the claimant claims for himself must be left open, because the claimant is not entitled to claim eventual rights to the numbering system.

aa) The claimant is not entitled to claim rights to an eventual original work, i.e. the original stamp numbering system such as it originated over one hundred years ago...

(4) Even if the pleading of the claimant who as a proof offers an expert opinion is deemed to be right, this does not lead to the conclusion that the structure of the material, i.e. the philatelic data, in the numbering system belonging to the case is a personal intellectual creation from which the claimant can derive rights...

(5bb) Neither can the claimant successfully support his claim by a processor copyright...

...As far as the claimant points out the add-ons to the data base, this is neither helpful nor rewarding either. Because the insertion of newly issued stamps into the existing stamp numbering system has to be qualified as a purely technical activity bare of any intellectual quality in the sense of § 2 Abs. 2 UrhG.

d) The respective numbers for stamps and stamp booklets that the claimant assigns in application of the structural system is not subject to the copyright since its generation is a purely technical performance that can be operated by anyone acquainted with the structural system, and it does not leave any relevant creative leeway...

3. In the current case, the claimant has no claim for a declaration to cease and desist on the grounds of a violation of the rights to a literary work (§ 2 Abs. 1 Nr. 1, Abs. 2, §§ 16, 17, 97 Abs. 1 Satz 1 UrhG) since for the reasons quoted above there is no personal creation in the current case from which the claimant might derive any claims.”

So much for the extracts from the judgement. I have published the complete text in PHILA HISTORICA Nr. 3/2013. Basically it is unambiguous that the use of the Michel numbering as reference numbers is henceforth indisputably permitted. This right was refused years ago to the editor of a specialised catalogue of Ireland after a lawsuit filed by Stanley Gibbons. In Germany the matter has been cleared up, presumably not only for stamp booklet catalogues (even if this was the concrete object of the dispute).

Of course the question is still open if this judgement will be relevant for other catalogues and their numbering. The Schwaneberger publishing house denies this, although the judgement in respect to the grounds for the judgement contain a number of very general statements on the MICHEL numbering system that might well permit a new and different interpretation. In the sense that it is hardly possible at all to consider a catalogue numbering system alone and per se an intellectual creation, even more so if in part and first of all it was adopted or created with the help of others.

Case No. 5: Lorient's Heirs against Wikipedia

In Germany, stamps are still “official”; that means they are issued by the Federal Ministry of Finances which however has ceded most of the concomitant tasks to the German Post (Deutsche Post AG). In 1985, the District Court of Munich had already held that stamps have to be considered “official works” and are therefore “in the public domain”, i.e. not protected by the copyright. (Note that the USPS claims copyright protection for U.S. stamp images.)

Today, some 30 years later, this has become a matter of dispute since the privatisation of the post. In any case, reproductions of stamps (no matter if in printed or digital form) issued by other private postal services operators are not official works and for that reason subject to the copyright of their authors.

A judgement the Lorient heirs obtained against Wikipedia in 2012 is quite remarkable. Wikipedia, that is well known, stockpiles among others reproductions of stamps of various countries, in a way it has a world-wide archive. Therein were new issues of special stamps, charity stamps, showing Lorient motives. Lorient's heirs filed a lawsuit, and on March 27, 2012, the District Court of Berlin decided in this concrete case that these Lorient stamps were not official works. Because in the press release published by the Federal Ministry of Finances there was the unequivocal reference: “Motive: © Lorient”. Thereupon Wikipedia withdrew the special stamp from its internet site.

The judgement is interesting in so far as it makes clear that stamp creators, i.e. artists, may well reserve a copyright that in the future has to be respected by third persons.

Summary

Let us summarise: One has to be very careful today what in a concrete case one uses to what purpose. Even in the past it was not possible to use the intellectual property of third persons either for one's own hobby or one's own business. Whatever is not self-made, whatever is not the product of one's own pen or brush, what is just borrowed from others, may – but need not, depending on the age – be protected by the copyright.

In principle the situation is such that most often third persons are highly interested in authors and journalists reporting on their concerns. Postal firms want the media to announce forthcoming issues in text and pictures, and for that purpose they provide digital or printed material. More and more, however, they reserve their own rights and issue caveats. These do not concern the usual press releases, but further commercial exploitation.

In this context I can offer you a well-known example: If Moscow once again hosted Olympic Games, certainly numerous series of stamps would be issued on the occasion. The Olympic committee demands fees for the reproduction of the five well-known rings alone and in addition stipulates a share on such special issues as a commission on a percentage basis (as last was the case in London in 2012). That means that the Russian post would have to pay for issuing such stamps with the Olympic emblems.

If a commercially oriented dealer had nice T-shirts, cups, plates and other gimmicks designed and sold with the imprint of these stamps, he would gain an additional value by using products of third persons: namely the stamps of Russia and of the Olympic rings which fit in with a sale-promotional event. I do not know how the Russian post would react, but I can tell you the point of view of most West European postal firms: they consider it an infringement of their copyright. Years ago the boss of the Swiss Post Philatelic service told me at a meeting of the Universal Postal Union in Berne that of course they did not object to authors and journalists reproducing their stamps and using them to illustrate their books. Of course there are limits, but these can only be determined case-by-case.

Where would you put such limits? A general travel guide of a general publishing house which without having asked permission illustrates its travel guide of Switzerland with Swiss stamps in order to save fees for expensive pictures may already have gone too far. The specialised philatelic author writing a comprehensive handbook on the special stamps and the postal stationery of Switzerland which also includes issues of recent years, and who reaches a circulation of 300 or 500 copies, will presumably not be in the danger zone.

In any case, if you want to avoid running into difficulties, one thing is for sure for the future: it always pays to contact the firm, institution or private person whose product you want to use for your purpose. As a rule, if reference is made to the source of information, such permission is granted to the writing class free of charge and clauses. Quoting the reference source is simply a question of politeness and good style – just as much as marking a direct quote in a text – and should be part and parcel of an author's daily standard.

Once Again: Picture rights

Who do photos belong to? To the person who offers them? Not always, unless he states explicitly that he reserves all copyrights. But photos that you receive from third persons need not necessarily be theirs, they may show people who have a right to their photo, who have never been asked, etc. As you can see, it becomes critical already here. Traps and still more traps. At least in theory.

So when you get photos from others, examine if they are in the public domain, licence-free and free for exploitation. There is no problem for photos older than 70 years or whose real or presumed author is supposed to have died at least 70 years ago. As a rule, such photos are automatically in the public domain. Unless ... I will come to a particular case later on.

A copyright on pictures is primarily reserved for works that can be defined as personal intellectual creations. That means they must have been created by a human being, possess a spiritual content, a perceptible styling and individuality. Reproductions of two-dimensional scans, of letters and covers in auctions catalogues, do not fall under the copyright, because the scan in itself does not imply an intellectual creative act, even if the digital media designer has corrected the colours and optimised the picture after scanning.

However, it is once again a question of what is reproduced, because personal rights and exploitation rights might be connected with the reproduction. When you use the reproduction of a letter from 1855 of an Old German State, the legal situation is completely different from using the reproduction of Lorient stamp varieties of 2012. In the latter case exploitation rights might be involved. In such a case, when using the Lorient stamp varieties for reproduction on a T-shirt, you cannot refer to the fact that you copied the picture from an auction catalogue where the scan was not protected by the copyright as an intellectual creative performance. And one should be more than cautious when publishing such digital data in a data base on the internet.

One principle German legislation distinguishes “simple photos” (Lichtbild) from “superior photos” (Lichtbildwerk). “Superior photos” are photos that are characterised by an artistic styling and composition. Artistically, “simple photos” are of a much lower quality. These can be snap shots. For that reason “Lichtbildwerke” are protected for 70 years after the author's death, while simple “Lichtbilder” enjoy only a 50-year protection.

Are there exceptions to this protection? Yes, there are, although within narrow limits. So reproductions are authorised for one's own scientific use, as well as the use of texts and pictures for teaching, instruction and research, the reproduction of works at electronic study desks in public libraries, museums and archives, although the operators and/or users, depending on the institution, might in certain cases be subject to charges.

I do not intend to make an in-depth study at the end of this chapter, but allow me to mention a rather controversial and still disputed special case that has not yet been brought to a conclusion: the copyright of the owner of a painting. You all know this: You visit a museum with unique exhibits, and already at the entrance you see a sign reading: “Photos strictly prohibited”. In some museums you are even scanned today and you must leave your mobile phone, camera and the like in a locker. Noncompliance may lead to penalties.

Let us suppose you nevertheless succeed in smuggling a camera onto the premises and taking photos secretly. If you publish them, no matter if in print or digital form, you risk being asked to pay up for the material. The owner of the museum will refer to his householder's rights that you knew and violated, and he will derive rights to property and make legal reservations. Can this be transferred to philately?

Yes, this can be done, although in a particular case it can still be a matter of controversy. Let us suppose that a col-

lector owns unique proofs, essays and sketches of a series of stamps issued 140 years ago. He invites you to his house to admire his treasures, and in violation of appropriate prohibition signs you take photos and publish them. This is a clear infraction of his legal restraints. He is the owner, and in this way he can reserve the rights of the householder and of the property, and these imply the rights of exploitation.

If he sends you self-produced photos or scans for private use, the situation would be similar. It is true that the mechanic copy, i.e. the scan, is not protected in itself, and no ancillary copyright can be derived from it, but it can be derived from the owner's clear instruction to exploit it for private use only.

As a general rule, "freedom of panorama" exists in Germany, but it is an error to conclude that the free use of Google Maps by anybody implies not only the personal use, but also the commercial one. In this case you have to ask for a licence. The same applies to our philatelic examples, especially in the case of the reproduction of fairly recent stamps which are not in the public domain or of unclear status.

An exception is the so-called picture quote, i.e. when an individual work is incorporated in an original scientific work for the purpose of an intellectual argument. It can only be decided in the concrete case to what extent these clauses are fulfilled in a philatelic publication.

I do not elaborate on personal photo rights because I suppose everybody knows that it is forbidden to take photos of strangers and to diffuse them without being given permission. Unless the office and appearance of these persons tacitly implies this permission (as is the case with politicians, actors, etc.). But even here one has to respect the realm of the private sphere.

So let us stay with stamps, particularly the more recent ones. There is useful advice on the internet site of Wikipedia; visit: <http://commons.wikimedia.org/wiki/Commons:Briefmarken>. Pay attention to the hints given there.

The Right to One's Own Word

Even if you might get the impression that in recent years the copyright concerning pictures, photos and reproductions has gained an exorbitant importance, it is still true that the historically older part of the copyright concerns what has always been considered the most original of intellectual creative performances: the written word, the texts, books and comparable publications of similar kind which in legislation are designated as "literary works".

In this domain once again I have to concentrate on essential aspects. I take for granted that the copyright in its objective sense designates the protection of the author as regards his personal intellectual creative performances, in this case the written word. The author alone has the exclusive right to it, he can diffuse it, in return for payment or free of charge, he can refrain from doing so or may even forbid the diffusion.

For texts and literature of any kind the rule applies that there must be a personal intellectual creation, that means the combination of contents and form must represent something new and original. If someone copies texts from

Wikipedia – as long as you quote the reference this is perfectly permitted – and compile it to make a new book, this is no personal intellectual value-adding performance. There are a number of publishers who make a profitable living by using this method, but it does not make them the spiritual authors of the products they diffuse.

Someone who copies results and conclusions of third persons and publishes them under his name – be it in smaller or more voluminous form – without indicating a reference, is not a spiritual author, but a thief: a plagiariser. You all know that in Germany we had a good number of annulments of academic doctor titles in recent years because it could be proved that plagiarism had been used intentionally, and this was considered a fraud.

But of course it is absolutely correct to use original intellectual property of third persons for one's own publications as long as reference is made to the source, and once again there are different possibilities in the context of large and short quotations. Generally speaking, it is true again that texts do not enter the public domain until 70 years after the author's death (we do not deal with the exceptions, because they are irrelevant for philately).

The copyright interprets large quotations for so-called literary works. In this sense, complete works may be inserted into a new *scientific* work for explanatory annotations. The accent here is put on "scientific work" that is published e.g. with critical comments. Everyday information, reports and articles cannot be counted among scientific works.

That means that, unless there is a community of heirs reserving and exercising rights, you can as a rule republish a book 70 years after the author's death. That can be done as a so-called reprint of the original work. Otherwise, in the sense of the large quotation, this is only permitted within narrow limits for scientific works and hardly ever applies to philately.

For philately the so-called short quotation is much more important, because there is no need for its use in the context of a scientific work. A short quotation is only a short extract from a complete work, and to determine the permissible length you must put the quotation into relation with the volume of the complete work. One or more sentences are generally considered a short quotation, even a photo can be regarded as a so-called "short long quotation" as long as one respects the formal requirements.

However, each short quotation must fulfil a purpose. It can e.g. support one's own opinion or contribute to the intellectual discussion of the subject matter. It can also be quoted to show that the quoted author has a different opinion. There is one fundamental rule: Any quotation must be rendered verbatim, even if there are spelling mistakes. The rule of "prohibition of modification" has to be observed and can be overruled only if the modification is made obvious (e.g. "emphasis of the author", etc.).

Categorically, quotes have to be formally marked as such, i.e. the exact reference has to be given (for internet references, the link and date of visit). The reference must contain the name of the author, the title of the book or periodical article and the place and year of publication. For

periodical articles, the title of the periodical and the volume, year and page should be included as well.

When I said that short quotations must fulfil a purpose, this was already confined by referring to the intellectual discussion. For in view of the exploitation rights of third persons even short quotations are not always free of charge for whatever purpose, even if reference is made to the source. This is what commercial users had to experience who on their internet site used sayings by Karl Valentin. From his heir Anneliese Kühn and the mandated rasscass Media Society, they received a costly cease-and-desist declaration. You still remember Mr. Christian Kaiser, the operator of this publishing house and the website www.whoswho.de when we discussed the Gerhart Hauptmann stamp. Using Valentin's saying as an advertising slogan for one's own commercial activities – even if it is used in a humorous sense – affects the rights of exploitation of the original author. So be careful in your choice. You are luckier when choosing Goethe or Schiller. I recommend the old Greeks of Romans, then you are on the safe side!

You cannot without permission take texts of other authors and/or periodicals and put them on your website even if this is not run commercially, because you would be using the performance of third persons without being authorised to do so. In that case, once again, permission has to be asked for individually unless it was globally granted to a specific group of people. Remember that the majority of specialised periodicals are commercial products reserving rights to their own exploitation of their texts and pictures.

How far do your own rights go? That question can only be answered case by case. As a rule, you are the author if you write something completely new that has not yet been known. But what is the situation if – e.g. years or decades later – you describe anew the knowledge of a predecessor? That would be done in your own words, but you render facts that the other author reported before you. Maybe you just add new pictures.

Such a trial was held in Belgium some years ago. Without descending to particulars one has to recognise the vicinity to illegal plagiarism even if this might not easily be proved in a particular case. The reproach of plagiarism is justified when it can be proved that the structure of the study and the treatment is the same, when even the title and sub-titles are identical and when the contents do not go beyond what was said before – provided that there is no reference to the source.

As the editor of philatelic journals, I often had to write on philatelic matters in the past 20 to 30 years that I was not really acquainted with. For example on occasion of the 150th anniversary of the introduction of stamps in a country. My method of working was as follows: First I did as much research as possible in the literature I knew, I tried to find out contradictions or progress in knowledge, and then developed my own system for the structure and the concept of the main points I wanted to treat, into which I incorporated the state of knowledge I had meanwhile acquired. In this way an absolutely new article originated.

But wherever possible, for quotes and direct references I indicated the source, and I added a bibliography at the end of the article. In this way the reader knew that the paper was my own product, but that I was not falsely taking all the credit.

I observe the same rule whenever I receive advisory support, hints and advice, maybe even pictures – for me it is simply a question of politeness and the ethic code (“fair use”), of fairness: I quote the person who helped me; it is not necessarily the author. “By courtesy of ...” is the established wording. That is a protection for yourself, and in case something is not correct and someone wants to make a fuss, you can always refer to that passage.

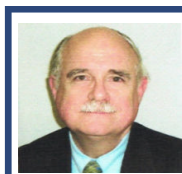
Of course that sentence does not protect you against all and everything. If a text that is not marked as a quotation of if even a picture is reproduced in a journal or in a book (or put onto a website), you cannot excuse the violation of the copyright by an evasive declaration that you did not know, hence you are innocent. It is up to the author or the publisher to check if a manuscript handed in to him contains any material protected by the copyright. Of course this is pure theory, for in practice – given the stress of our hectic everyday life – no journalist or editorial team is able to check all and everything. Whoever has tried to identify the owner of the rights to a specific photo or whoever has attempted to find out when a certain photographer died will know that this is practically impossible.

Publishing houses and editorial teams often protect themselves in a contract or in a clause in which the author certifies that the texts and pictures that he handed in are exempt of legal reservations of third persons. And authors – I do the same – include in their books a so-called cathartic, i.e. purifying formula that all references were given to the best of knowledge and that there was no intention to violate the rights of third persons. In the eventuality of a violation, the respective holder of rights is kindly asked to contact the author to achieve an amicable arrangement.

In the past 35 years, I have published more than 80 books and brochures and written thousands of contributions for specialised periodicals. Not a single time have I had any complaint that I had used someone's intellectual property without permission. But I have experienced the contrary when in 2005 I used the second edition of my book “Who is who in philately” on the website of the German Federation of Philatelists BDPh (www.bdph.de) where it could be consulted free of charge by anybody. A few months later several pages, in most cases without any modification, had been put onto two additional internet portals! I never brought an action against anybody although I was entitled to do so, because on the other websites I was never quoted as the author or source. The fact that in my third and considerably enlarged edition – for the time being it exists in printed form only – I now correctly quote all sources that I used and consulted which has led one contributor to Wikipedia to indicating my sources as well, and in this way he conveys the impression that he himself has consulted them. But at least he now quotes my book among the sources. What an honour to see one's performance used in such a way by others, although I give credit to this Wikipedia “author” in that he tries to refor-

Who Will Replace Us?

36 Responses



John Hotchner

In the 4th Quarter 2013 issue of *TPC*, page 4, I posed a set of questions, with the hope that answers might provide some

clues to help editors effectively develop the philatelic writers who will keep philatelic literature vital and informative into the future. In other words, what can be done to assure that there will be writers and editors to replace us as we “age out”, so to speak.

The 36 responses were a bit daunting – everything from a one line answer to each question, to pages of single-spaced text. On a recent 9-hour airline flight, I read them through again, tried to adapt your responses to a framework, and draw some useful conclusions. I want to thank each and every one of you who wrote.

What follows will summarize the responses to each question, but please understand that not everybody answered every question. So, don’t expect the numbers to always add up to 36. Also, please understand that there were more insightful comments than I

could put into a reasonable-length article; and of course there was some overlap of answers. With those preliminaries taken care of, here is the report:

Question 1: When did you first start writing philatelic columns/articles for publication?

Answer: Three respondents began in the 1950s – Alan Warren, Jack Harwood, and Hal Vogel. The rest are evenly distributed from the 1960s into the 1990s. Only three reported starting in the first decade of the 2000s. One other came back to philatelic writing after a lengthy absence. All four are retirees or close to that status. Perhaps this lack of youth is a cause for concern; perhaps just an artifact of who chose to respond.

Question 2: What did you write, and on what subject?

Answer: Replies ranged from short articles in a club newsletter, to longer articles in society journals, to writing books, and for the commercial philatelic press, and non-philatelic press. The majority began by writing about things they knew about; things that they had researched and wanted to share. Most first

Responses continued page 10

Copyright continued from page 8

mulate my texts. Unfortunately quite often with lots of mistakes.

Final Remark

I could not discuss all possible cases and traps awaiting today’s authors, journalists, publishers and data bank operators. As I said at the beginning, I am no jurist, but a publisher with some educational background and experience in the press law where such questions are always an issue.

At the end I cannot but repeat my good advice: Use your own intellectual creative potential and ask for permission better too much than too little. If you cannot find out the eventual author, the ice might be thin for you. In such cases it is usually better to renounce.

Sources

The following sources were consulted and used for this paper:

1. Official Stamps (Germany), [http://de.wikipedia.org/wiki/Amtliche_Briefmarke_\(Deutschland\)](http://de.wikipedia.org/wiki/Amtliche_Briefmarke_(Deutschland)) (visit: Sept. 2, 2013).

2. Laws regulating the copyright and assimilated protective rights (author’s rights), www.gesetze-im-Internet.de/urhg/BJNR012730965.html (visit: Sept. 5, 2013) <http://p188643.mittwaldserver.info/ucp.php?mode=register>.

3. Kanzlei Janke: Fremde Fotos rechtlich sicher verwenden. www.medienrecht-urheberrecht.de (visit: August

6, 2013).

4. Kanzlei Janke: Was bringt der Copyright-Vermerk? www.medienrecht-urheberrecht.de (visit: August 6, 2013)

5. Kanzlei Janke: Zitieren, aber richtig! www.medienrecht-urheberrecht.de (visit: August 6, 2013)

6. RA Frank Schaffner: Bildrechte. Praxisorientierte Übersicht zu urheberrechtlichen Aspekten bei der Verwendung und Speicherung von digitalen Bildern im wissenschaftlichen Anwendungskontext auf Grundlage des aktuell geltenden Rechts in Deutschland unter Berücksichtigung des übergeordneten europäischen Rechts. Februar 2007 / Aktualisierung Januar 2008, www.uni-lueneburg.de/hyperimage/hyperimage/F_Schaffner_Bildrechte08.pdf (visit: August 6, 2013).

7. Judgement of the Federal Court [of Germany] of May 19, 2010 (I ZR 158/08); idem: Open session of the 1st Civil Senate of the BGH, I ZR 201/11 of June 20, 2013.

8. Judgement of the District Court (LG) of Berlin, GNr. 15 O 377/11 of March 27, 2012.

9. Judgement of the Superior District Court OLG of Munich of October 20, 2011, AZ: 29 U 4480/07.

10. Various communications of lawyers and their clients who for reasons of privacy and eventually affected persons are not communicated here, although they are known to the author and their writings deposited as attested copies.



Table 1
Our Philatelic Mentors

Jack Beachboard	Richard Frajola	Ed Neuce
Dr. Wallace Beardsley	Calvet Hahn	David Oram
George Blizil	H.D.S. "Don" Haverbeck	Charlie Peterson
Nick Carter	Col. Pat Hogan	Paul Phillips
Wallace Cleland	Lee Howard	Len Piskiewicz
Bernie Coyne	Eric Jensen	Ellen Rodger
Dr. Enzo Diena	Ernie Kehr	William Rodger
John Dunn	Michael Laurence	Michael Schreiber
Morris Everett	Clint McGee	Peter A.S. Smith
Belmont Faries	Gordon Morison	Al Starkweather
Joe Foley	Stuart Morissey	Bill Welch
Chuck Foster	Randy Neil	Ken Wood

efforts discussed were short, fact-based, and considerable effort was expended to assure that every detail was exact.

Question 3: What got you to pen that first article – self motivation or someone else pushing you?

Answer: 18 reported the reasons to be based in self-motivation while 9 reported that it took another author or an editor hounding them to get them to commit pen to paper that first time. The most interesting response was "Egotistical Self-interest – I had discovered something and wanted credit for it." It's as good a reason as any other!

Virtually all indicated that the reason they continued was positive reaction to that first article from other collectors, and from editors who were encouraging and invited the fledgling author to produce more.

About half reported that they had prior professional experience as a writer before trying that skill in philately. Others had never written anything but letters and/or term papers. Yet they felt they could do what they set out to accomplish, and were willing to give it a try. The key is that they believed in their abilities and like 'The little engine that could', they succeeded because they thought they could succeed.

Question 4: How did your writing career develop and who were people (critics, editors, publishers) important to helping you along the way?

Answer: To give credit where it is due, I will list here the names of those in philately who were named in the responses as having been instrumental. Others were named – mostly school teachers and college professors, and a few professional mentors. Given that our membership will not recognize those names,

I will not list them out of space considerations. But I honor all. Our philatelic mentors are listed in Table 1.

Regarding how our writing careers developed, I'm going to quote from several of your responses:

"I had been collecting Souvenir Pages for years and Stamp Announcements since the early 60s, so the Society and the things we were discovering by sharing information were important to me, personally. So, [when the editor called from the hospital to ask if I would be willing to substitute for him] I said I would be the 'Acting Editor'. Eventually I dropped the 'Acting' when I realized that he wasn't coming back, nobody else was taking the job, and I was having fun doing it." - Ron Walenciak

"I had already been publishing in the scientific literature for nearly three decades, and writing essays and poetry since age 10." – John Barwis

"As they say, 'If you really want to learn something; teach (write about) it.'" – Jamie Gough

"The main impetus was my job. I was paid to produce copy that would entertain, educate and engage *Linn's* readers." – Chad Sneek

"Robson Lowe was right when he told me 'a good book needs the gestation period of the great blue whale.'... [To that end] Procrastination works." – Bob Odenweller

"I found it difficult to say no to assignments." – Larry Lyons

[After short newsy articles on narrow subjects] “The next big writing project was the [Hawaiian Philatelic Society] website. There I had no philatelic guidance beyond my own experience but depended on the experience and knowledge of my web advisor.” – Fred Gregory

“There’s an overlap between exhibiting and philatelic research and writing,... Those who conduct philatelic research to support exhibit development quickly come to realize the value to their exhibits of publishing what they know, and what they’ve discovered.” – Frederick Lawrence

“The most ‘help along the way’ came to me through participation in the six-week Clarion West Writers’ Workshop, which helped me to become a better writer, but had nothing to do with stamps. It’s a science fiction workshop.” – Lyman Caswell

“The more I wrote, the more information and/or material I gained for my collection. I had collectors from all over the world writing to me, asking for help, offering me material, or just thanking me for writing. The experience was not only gratifying, but very helpful for my collection.” – Jack Harwood

“Retirement was the biggest push.” – Len McMaster

“Sometimes it’s hard to believe that it has been so many years since I penned that first piece. I have been very blessed and am now nearing 1,000 published articles and two books. I do not particularly enjoy seeing my name in print. I don’t write for recognition or acclaim. The reason I do what I do is because I love it. They’ll have to bury me with my word processor.” – Peter Mosiondz

Question 5: How did your philatelic writing affect the direction of your stamp/cover collecting?

Answer: Which came first: the chicken or the egg? Your responses were contrary to my assumption in the question; specifically that writing would influence collecting. 15 responses said that your collecting drove your writing (Answer A), rather than writing driving your collecting (Answer B), which 9 responses picked. For me, I began writing about what I knew well – Answer A. But soon enough I found I was buying odd things to write about that were mysteries to me, and starting new collections as a result – Answer B. Here are some snippets from your responses:

“The responses to my writing told me which directions to go in my collecting.” – Mathew Bowyer

“When undertaking to either write about a subject or exhibit it, there is an instant realization that you do not know enough about it to prepare an accurate and comprehensive presentation. It requires analysis and research, both of which require significant time commitments that can easily run into years, to bring it all together and organize it so it is focused, clear and easily read and understood. The effect of this commitment is a sharp narrowing of what is undertaken.” – Jim Graue

“I did occasionally buy an item to add to my collection with the primary motivation of getting a good illustration for an article.” – Frank Correl

“What I collected and the related fields stimulated me to write in those areas.” – Alan Warren

Question 6: What is the most important lesson you would like to pass along to new writers?

Answer: Well, now we come to the meat and potatoes. Just about everyone had a morsel or two; a few of which are contradictory. Here is what you said:

“Do your research! Learn everything you can find out about the subject of your article. You don’t have to include in the article everything you’ve learned (that might overwhelm the reader), but you want the information you give to be correct. Learn to make use of philatelic libraries for your research.” – Lyman Caswell

“If you can put together a stamp exhibit and show it successfully at a stamp show, you are already three-quarters of the way to writing an article. You have already organized the subject matter in a logical fashion for presentation in an article. All you need to do is insert the words.” – Lyman Caswell

“Forget about making a living out of philatelic writing or editing. Forget about focusing on ‘hot’ topics. Work with the philatelic or postal history subject(s) that engage you and get your engine revving.” – Steve Edmondson

“If you have studied a subject at length, and find something you think is new, or different, or unfamiliar, [use an article to] ask for opinions/advice/help – we are a great hobby of networkers, whether socially at shows, bourses and club meetings, or via Internet websites, blogs, email and chat boards.” – Robert Rufe

Responses continued from page 11

“Start small and keep it simple. A small bite is much more manageable. Go beyond the obvious.” – Jim Graue

“Provide your own insights.” – Frank Correl

“Jump in and share what you love. Philately is like a big hug that keeps giving.” – May Day Taylor

[In the non-philatelic press] “Do not write for specialists. I found that the general public loved to read the simple, obvious stories behind a stamp and how it came to be.” – Bill McAllister

“Tackle shorter, narrow scope topics before lengthy or maybe provocative ones; accept corrections/criticisms with grace (but don’t heed them without further examination); learn from your mistakes; have fun.” – Fred Gregory

“[Seek] help and criticism from established people in the field. They will welcome your efforts and provide guidance. The new friends you make will add volumes of satisfaction.” – Larry Lyons

“Always write conclusions first: one sentence per conclusion, in plain English. Then write the Introduction last – it’s the hardest part.” – John Barwis

“Write modestly to begin with, such as letters to the editor on various issues, then short articles on items on which you have good knowledge. Keep the language simple and clearly state all aspects – so your point of view is readily understood.” – Anthony Fandino

“Focus on your audience’s needs, desires and abilities to comprehend what you are about to say. – Hal Vogel

“Just get started. Once you have done the first article or column, you quickly look forward to the next one. Getting started may seem like an obstacle, but that is why we have editors. It is their job to take your first article or column and polish it. Once you see what the Editor has accomplished, you are in a better position to keep going and improve.” – Alan Warren

“Be curious about all aspects of philately. That is how you will identify possible article topics. Read. Research. Sharpen your Internet search skills for philatelic related information. Do not discount Internet-only publications. They are certainly the wave of the future.” – Steve Swain

Conclusions: It is clear from your responses that mentoring and critique from established writers and editors played a major role in encouraging you to take up the pen, and then to develop and expand your writing. Now it is your turn, whether an editor or not, to provide that service to newbies in our field.

Given that writers often become editors, and are the primary recruiting agents for new writers, Steve Swain provided a three point agenda for editors that I hope can be helpful:

Be proactive about reaching out to the many writers for local club newsletters. They took the first step in offering their knowledge and talent, but may be hesitant and unaware of how to pursue going to the next level.

You know your publication and your audience. So offer topic suggestions to writers instead of waiting for them to reach out to you. This is possibly contrary to accepted thinking, but it just may be worth the effort.

Develop a relationship with writers who you consider can and will provide quality material for your publication; a win-win situation.

I would add to this that it is not your job as editor to write everything that goes into your publication; rather it is your job to seek out writers who can fill your pages. One very good way highlighted by this survey is to find the exhibitors who are active in your area. As has been pointed out earlier, they are already half way to being writers. And then be persistent. One-to-one communication beats general appeals every time.

We also must recognize that not everyone is a born writer. If someone tells you that they hate writing, can’t do it, and won’t try, believe them. Find those people who have the talent but may be a bit shy. Humility is attractive in a writer. But it can be overcome. These people are the ones to work with.

Finally, let’s end with two divergent thoughts. One can be summarized as “Doom and Gloom” It comes from Dan Warren: “I believe the biggest problem in identifying our successors is the present nature of society itself. The electronic age promotes immediate gratification without effort, and the craft of editing has virtually disappeared. Certainly handwriting is no longer taught in many areas, and the tablet has replaced the pen and pencil. Other relevant skills have also suffered – notably proofreading skills. Wheels do turn, and one can always hope for a return to literacy. People have predicted the end of philately, and it’s still here, though greatly changed in many respects. I guess the same will probably be true for philatelic writing.”

A more positive read came from the late Doug Lehmann, before his untimely passing last September:

Responses continued page 13

"I believe nature will fill the vacuum. If you have collectors, they will specialize. Stamp societies form around specialties. Writers flow from societies. Societies that grow use the Internet and provide knowledge free. Those are the secret elixirs."

I think the truth lies somewhere in between. There are forces that predispose some to become philatelic writers, but the numbers and quality needed to guarantee the hobby's future will not materialize without

the effort of those of us currently engaged.

Each of us should make it our personal goal to help one new writer during our career to get past the starting line and get established.



Editor's Note: There is a lot of meat to chew on in this article. We would appreciate any comments and further conclusions from the members of Writers Unit #30. Please send your comments to *TPC* editor.

Reviews

Print & Electronic



Norgeskatalogen Postal II by the Catalog Committee of the Oslo Filatelistklubb (OFK). 320 pages, 6 ¾ by 9 ½ inches, perfect bound, card covers, mostly Norwegian language with some English, Oslo Filatelistklubb, Oslo, Norway, 2014. ISBN 978-82-997618-9-5, 350 NOK (approx. \$50 plus shipping), OFK, Frydenlundgate 14, 0169 Oslo, Norway.

In 2011 The Oslo Philatelist Club published a supplemental volume with its annual specialized catalog of Norway, focusing on postal history. This approach is very similar to the longstanding practice of Sweden's *Facit Postal* catalog that is published every few years in addition to the annual *Facit Special*.

The introductory section is bilingual in Norwegian and English. However, subsequent discussions on the different types of cancellations appear in Norwegian only. The introduction defines the different types of cancels, describes quality considerations, indicates the problem of forgeries, provides a 3-language word list (Norwegian, English, German) and offers a list of literature references.

The introduction is followed by the major types of postmarks in more or less chronological order: prestamp marks 1845-1855, early single ring marks, 3-ring numeral cancels, manuscript cancellations, the double-ring marks of 1860-1931, 3-ring marks used after 1883, Swiss marks (largely bridge type)

from 1889 to 1930, the Swiss marks of 1930-1936, and the crown and posthorn types. For the earlier marks, tables show the value according to the stamp issues on which they occur. The Swiss markings sections have been greatly expanded since the 2011 edition of the catalog, based on data furnished by collectors.

The Post i Butikk or letter post offices are listed from 2001 to date with location and postal codes, and with opening and, in many cases, closing dates. The letter listing (brevregister) for the period 1855-1909 by stamp issue and destination has been updated, as well as the tables of postal rates that now go up to 2014.

One important chapter that is missing in this edition is the backward listing of place name cancels that appeared in the 2011 edition. This enables one to identify a postmark if only the last few letters of the town or city is on the stamp. The catalog committee decided against running that listing again for space considerations. That means one has to have both editions in order to be up to date and also have the capability of searching for these incomplete marks. Perhaps OFK could place this list on its web site if it is not going to make it available in future editions.

Another omission in the 2014 edition is the listing of labels or etiquettes like the registered mail labels. This is bothersome for those who collect these items but cannot be assured they will be in every edition of *NK Postal*. Despite these obstacles the postal history catalog is needed for understanding how the postage stamps were used. As

many collectors and exhibitors have moved on from traditional philately to postal history, this catalog is increasingly important.

Alan Warren



Soviet Postal Censorship during World War II by Per-Christian Wallèn. 124 pages, 8 ¼ by 11 ¾ inches, perfect bound, card covers, in English, Norwegian War and Field Post Society, Norway, 2014. 200 NOK (approx. \$30 plus postage), details from Knut Arveng, knut.arveng@gmail.no.

The author has published in *Post-Rider* and is active in the German Arbeitsgemeinschaft Russland e.V. Wallèn's interest in Russian censorship during the Great Patriotic War was stimulated when he took a language course in St. Petersburg. The information in this book has been gleaned from the many covers, postcards, and postal stationery that he has examined over the years. He realizes it is not complete but with this handbook collectors can begin to understand the censorship markings found on material from this period.

Wallèn divides his presentation into three periods: 1941-1942, 1942-1943, and 1943-1945 (marked 1943-1953 in the introduction but not in later discussions). The introduction also contains six important tables for reference when using the handbook. These tables list the civil censorship locations for oblast/krai (administrative division), fieldpost sorting points, naval postal bases, army postal bases, double circle cancels used

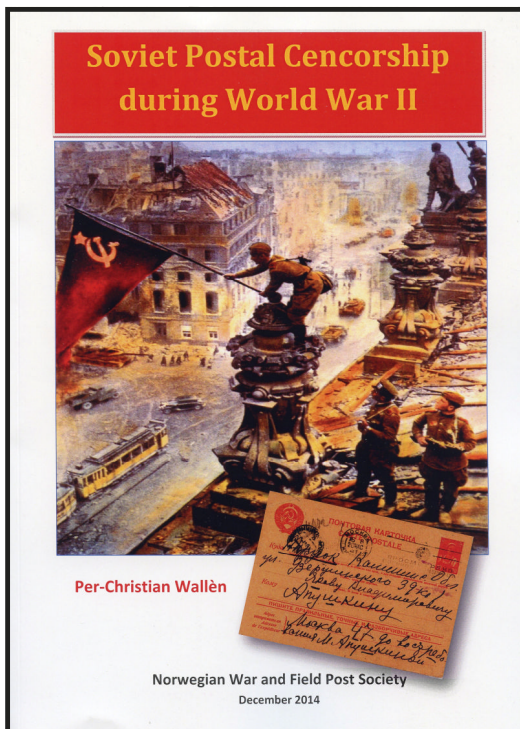
on international mail, and digits censor cancels. Locations for each are included in the tables.

The listings begin with the Army postal sorting points in numerical order, and data for each year period that includes earliest and latest recorded dates. The Naval post bases receive similar treatment followed by the Army fieldpost bases. At the end of this section the author shows three Army censor markings whose locations are unknown. The largest section lists the oblast/krai censor markings alphabetically, again with comments by year-period and earliest and latest known dates. Throughout the handbook cancel types are shown and various numbers associated with them.

A bibliography of over 30 references is given, and two government decrees relating to censorship are reprinted in Russian and English. A brief index concludes the volume. Most illustrations are in color and show just the censor marking; however, a few entire covers are also shown.

Recognizing that this handbook is a starting point and a work in progress, it will serve collectors to understand this author's approach to categorizing and identifying Soviet censorship markings during World War II.

Alan Warren



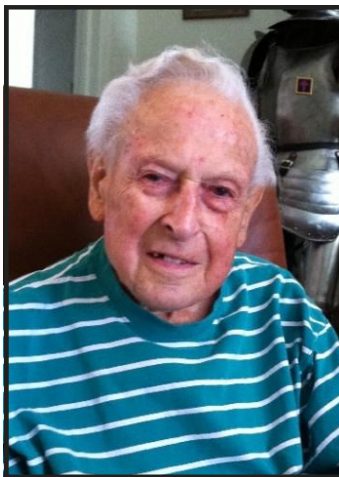
Peter A. S. Smith

Prolific author and exhibitor of the philately of Egypt, Peter Smith, died November 29 at 94. His most recent exhibit was at the ASDA 100th Anniversary show in New York in November. He attended the show where he received a large vermeil for his "Egyptian Postal Stationery to the end of the Monarchy."

Over many years he authored articles that appeared in the *American Philatelist*, *Collectors Club Philatelist*, *The Philatelist* and *Philatelic Journal of Great Britain*, *London Philatelist*, *Italian Philatelist*, *France and Colonies Philatelist*, *Egypt Study Circle Quarterly*, and *S. P. A. Journal* among others. His articles also appeared in the *American Philatelic Congress Book*, *Fakes Forgeries and Experts*, and the *Philatelic Foundation's Opinions VI*.

Peter Smith authored two books: *The Travelling Post Offices of Egypt* (1983) and *Egypt Stamps and Postal History – A Philatelic Treatise* (1999). The latter won the

Royal Philatelic Society London's Crawford Medal in 2000. Smith was also editor for a number of years of the *Collectors Club Philatelist*.



Born in the Erskine Hill area of London he came to the United States at the age of 3. During World War II he worked for the Office of Scientific Research & Development on penicillin. After the war he joined the chemistry department of the University of Michigan as an instructor, and was promoted to assistant professor in 1948, associate professor in 1953, and professor in 1959. He was named emeritus professor in 1990.

His professional research expertise was in the field of nitrogen-containing organic compounds used in medicines, pesticides, explosives and propellants. For many years he served as book review editor of the *Journal of the American Chemical Society* and chaired the commission on nomenclature of the International Union of Pure and Applied Chemistry.

Alan Warren



Secretary-Treasurer's *Report*

About Writers Unit #30

Purpose of the Writers Unit #30 of the American Philatelic Society is to encourage and assist philatelic communications, knowledge, and comradeship. Membership is open to anyone interested in philatelic communications.

Join Us Today

Membership includes a subscription to the *Philatelic Communicator*. Membership applications received by October 1 will be recorded as members for that calendar year and will receive all four quarterly issues of the *Philatelic Communicator* for that year. Applications received after October 1 will be recorded as members for the following calendar year.

A membership application may be downloaded from the Writers Unit #30 website at www.wu30.org. Existing members are encouraged to download this form and give it to potential members so they can join.

Membership Dues

The membership dues for each calendar year are:

USPS ZIP Code Addresses..... \$20.00
Canada and Mexico..... \$22.50
All Other Addresses..... \$25.00

Payment must be made in U.S. funds by a check imprinted with a U.S. bank transit number, or by postal money order payable to "APS Writers Unit #30." Some overseas members prefer to send U.S. bank notes.

Updating Your Mailing Address

Please notify us of address changes to assure that you receive without delay each issue of *The Philatelic Communicator*. This will also save WU#30 several dollars because the USPS charges us when they have to send us an address correction, and we still have to pay the postage for re-shipping the issue to the member.

Ken Trettin
WU#30 Secretary-Treasurer
PO Box 56,
Rockford, IA 50468-0056
revenue@myomnitel.com
641-756-3542

World Stamp Show

May 28-June 4, 2016
Javits Center

NY
2016

ny2016.org

Join fellow society members
at World Stamp Show-NY 2016!

APS Writers Unit #30
Ken Trettin
PO Box 56,
Rockford, IA 50468-0056
Return Service Requested
Dated Mail - Please Rush

PRSRT STD
U.S. POSTAGE PAID
MADRID, IA 50156
PERMIT NO. 10

Articles

Copyright in Philately: Basics – Problems – Options Wolfgang Maassen	1
Who Will Replace Us? 36 Responses.....John Hotchner	9
Call for Officer and Director Nominations 2015.....Alan Warren	3
Peter A. S. Smith.....Alan Warren	14

Departments

From the Editor.....David Crotty	2
President's Message.....Gene Fricks	3
Reviews.....	
<i>Norgeskatalogen Postal II</i>	
.....Catalog Committee of the Oslo Filatelistklubb	13
<i>Soviet Postal Censorship during World War II</i>	
.....Christian Wallén	14

Materials for Review

Material for review may be sent to the editor. Reviews of materials are welcomed from members and non-members. Reviews should be concise and stress those aspects that are helpful examples (positive or negative) for other authors, editors and publishers. Review requests from those having an interest in the item, such as publishers and distributors, must include a copy of the publication.

Expert Help for Writers and Editors

Dr. Dane S. Claussen, Writers Unit #30 past president, offers free critiques of periodicals, books and manuscripts. Submit the four most recent issues, including postage equivalent to four times the first class mailing fee. Any unused amount will be returned. Critiques can be expected in about 30 days. Inquire before sending books and manuscripts, providing a brief description. Return time will vary depending on length and other commitments. Include an SASE. Note that Dr. Claussen has moved. Send to Dr. Dane S. Claussen's Email: danesc.aussen@gmail.com.

2015 Literature and Web Exhibits

APS CAC Newsletter Competition, January 2015 entrance deadline. [jkfohn.alamo.1043@gmail.com](mailto:jckohn.alamo.1043@gmail.com)

APS CAC Website Competition, Spring 2015,
www.stamps.org/cac/

NAPEX, June 5-7, 2015, McLean Tysons Corner, VA,
www.napex.org/

APS StampShow August 20-23, 2015, Grand Rapids, MI,
www.stamps.org/StampShow

CHICAGOPEX November 20-22, 2015, Itasca, IL,
www.chicagopex.com/